



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Russ Guiney, Director

John Wicker, Chief Deputy Director

Executive Offices • 433 South Vermont Avenue • Los Angeles, CA 90020-1975 • (213) 738-2961

June 04, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**ADOPTION OF RESOLUTION INITIATING PROCEEDING
FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS
FOR ZONES WITHIN LOS ANGELES COUNTY
LANDSCAPING AND LIGHTING ACT DISTRICT NUMBERS 1, 2, AND 4, FOR FISCAL YEAR
2013-14; AND ORDERING THE PREPARATION OF
ENGINEER'S REPORTS IN CONNECTION THEREWITH
(SUPERVISORIAL DISTRICTS 1, 3, 4, AND 5) (3 VOTES)**

SUBJECT

Adoption of the Resolution Initiating Proceedings for the levy of annual assessments for Landscaping and Lighting Act District Numbers 1, 2, and 4, and Zones therein; and order the preparation of the engineer's reports in connection with the proposed proceedings.

IT IS RECOMMENDED THAT THE BOARD:

1. Find the proposed actions categorically exempt from the California Environmental Quality Act because the actions involve information collection, to the Landscaping and Lighting Act Districts for the reasons stated herein and the reasons reflected in the record of the project.
2. Adopt a Resolution Initiating Proceedings to levy annual assessments for landscape and park maintenance purposes for Landscaping and Lighting Act District Numbers 1, 2, and 4, and Zones therein; pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, Section 22500 et. Seq., and as provided by Article XIID of the California Constitution.
3. Designate the Director of the Department of Parks and Recreation, or his designee, as the

“Engineer” for purposes of implementing this procedure.

4. Instruct the Director of the Department of Parks and Recreation to prepare and file Engineer's Reports in accordance with Chapter 1 Article 4 of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California (commencing with Section 22565) for the annual levy of assessments for Fiscal Year 2013-14 within Landscaping and Lighting Act District Numbers 1, 2, and 4 and Zones therein; in accordance with Chapter 2 Article 3 of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California (commencing with Section 22605).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for your Board to initiate proceedings for the levying of annual assessments for landscape and park maintenance purposes, and annexation of additional territory into Landscaping and Lighting Act (LLA) District 4 by directing the Department of Parks and Recreation (Department) to prepare the required Engineer's Reports.

The Board actions only initiate the assessment and annexation process and do not establish any assessment rates. In accordance with Proposition 13, assessments cannot be based on property values. Each District and Zone therein, is obligated to establish a benefit formula by which assessments are set according to the benefit received from the service or improvement. Under Proposition 218, which added Articles XIII C and XIII D to the California Constitution, the local government (Board) is required to give the affected property owners mailed notice and ballots regarding the proposed new or increased assessment and hold a public hearing (protest hearing) to receive ballots in support of or opposition to the proposed new or increased assessment for tabulation.

On July 12, 1979, August 10, 1995, and July 22, 1997, your Board approved the formation of Landscaping and Lighting Act (LLA) District Numbers 1, 2, and 4 and Zones therein, respectively, for the purpose of providing landscaping in County-administered LLA Districts and Zones therein, pursuant to provisions of LLA of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, Section 22500 et. seq. (Act). As the governing body, the Board of Supervisors is responsible for approving the levying of annual assessments for landscape and park maintenance purposes. Board adoption of the Resolution Initiating Proceedings institutes the annual assessment process for the renewal or increase of existing annual assessments and the establishment of new assessments for Fiscal Year (FY) 2013-14.

Proceeding regarding the proposed annexation will be considered pursuant to a future Resolution of Intention, as required in accordance with the Act.

Implementation of Strategic Plan Goals

These actions will further the County's Strategic Plan Goals of Operational Effectiveness (Goal 1), by ensuring the continuation of services to maintain the landscaped areas and appurtenant improvements that benefit those who live within these Zones. Furthermore, we will maintain Fiscal Sustainability (Goal 2), of our landscape maintenance services by performing the annexation and establishment of the assessments to provide the funding necessary for the operation and maintenance of new park, landscaping and appurtenant facilities that benefit the properties within these Districts and Zones.

FISCAL IMPACT/FINANCING

All services administered by the Department of Parks and Recreation Special Districts Section, and provided in the Districts and Zones therein, are funded by the assessments established by the Board of Supervisors. The proposed assessments will generate approximately \$5.5 million in total revenue in LLA District Numbers 1, 2, and 4 and Zones therein for FY 2013-14. There will be no projected increase in the total revenue over FY 2012-13. There is no fiscal impact to the General Fund, other than there may be assessments for parcels owned by County of Los Angeles.

OPERATING BUDGET IMPACT

The recommended actions will have no impact on the Department's operating budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Act sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. The Act, Government Code Section 53753, and the California Constitution, establish procedures that must be followed for the levy of any new or increased assessments. The Act requires that your Board adopt a Resolution Initiating Proceedings and generally describe any proposed improvements or substantial changes in existing improvements. Your Board must also order the Engineer to prepare and file reports in accordance with Section 22565 of the Streets and Highways Code.

In June of 2013, the Department will submit, for your Board's approval, the required Engineer's Reports and Resolutions of Intention, setting the public hearing dates to establish the assessments for FY 2013-14, and annexation of territory into LLA District 4, pursuant to the Act and as provided by the California Constitution.

County Counsel has reviewed and approved this letter and the attached Resolution as to form.

ENVIRONMENTAL DOCUMENTATION

The project is categorically exempt from the California Environmental Quality Act (CEQA). The project, which consists of initiation of proceedings for the levying of annual assessments for landscape and park maintenance purposes, and is within certain classes of projects that have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Sections 15301(c), and 15306 of the State CEQA Guidelines and Classes 1(x)(27) and 6 of the Environmental Document Reporting Procedures and Guidelines, Appendix G, because the project involves information collection, formation of and annexations to the Landscaping and Lighting Act Districts.

The proposed project includes no expansion of an existing use, the proposed project will not involve the removal of healthy, mature trees. Additionally, the proposed project will not cause a substantial adverse change in the significance of a historic resource, the project is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the proposed project records.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The Honorable Board of Supervisors

6/4/2013

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Approval of this action will cause no impact on current services or programs.

CONCLUSION

It is requested that three adopted copies of the action taken by the Board, be forwarded to the Department of Parks and Recreation. Should you have any questions, please contact Susan Sherman at (661) 294-3580 or ssherman@parks.lacounty.gov; Kandy Hays at (626) 821-4600 or khays@parks.lacounty.gov; Vanessa Paniagua at (213) 738-2986 or vpaniagua@parks.lacounty.gov; or Kaye Michelson at (213) 738-2955 or kmichelson@parks.lacounty.gov.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Russ Guiney".

RUSS GUINEY

Director

RG:JW:RAM:

KEH:MK:SS:rc

Enclosures

c: Chief Executive Officer
County Counsel
Auditor Controller
Executive Officer, Board of Supervisors

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS**

**RESOLUTION INITIATING PROCEEDINGS FOR THE ANNUAL LEVY AND
COLLECTION OF ASSESSMENTS FOR LOS ANGELES COUNTY
LANDSCAPING AND LIGHTING ACT DISTRICT NOS. 1, 2, AND 4 AND
ZONES THEREIN FOR FISCAL YEAR 2013-2014-; AND ORDERING THE
PREPARATION OF ENGINEER'S REPORTS IN CONNECTION
THEREWITH**

WHEREAS, on July 12, 1979, August 10, 1995, and July 22, 1997, the Board of Supervisors of the County of Los Angeles approved the formation of Landscape and Lighting Act (LLA) District Nos. 1, 2, and 4, respectively, for the purpose of providing funds for the operation of the LLA Districts and Zones therein within the County of Los Angeles pursuant to provisions of the Landscaping and Lighting Act of 1972 Section 22500 et. seq. of the California Streets and Highways Code (the "Act"); and

WHEREAS, within the LLA District No. 1 there are three (3) established, separate Zones, within the LLA District No. 2 there are sixteen (16) established, separate Zones, and within the LLA District No. 4 there are twelve (12) established, separate Zones; and each Zone consists of territory that receives substantially similar and proportional special benefits from the improvements provided in the Zone; and

WHEREAS, each of the three (3), sixteen (16), and twelve (12) Zones within LLA District Nos. 1, 2, and 4, respectively, retain separate budgets, trust accounts, and unit numbers established by the Los Angeles County Auditor-Controller; and

WHEREAS, the Board of Supervisors previously approved the formation of LLA Districts and Zones therein for the purpose of providing funds for landscape maintenance services located therein pursuant to the Act; and

WHEREAS, the Board of Supervisors hereby proposes to levy annual assessments for existing LLA District Nos. 1, 2, and 4 and Zones therein, and to levy and collect assessments against the lots and parcels of land within such LLA Districts and Zones therein to pay the costs and expenses of the landscape improvements for the fiscal year commencing July 1, 2013, and ending June 30, 2014, pursuant to the Act; and

WHEREAS, the general location and boundaries of the LLA District Nos. 1, 2, and 4 and Zones therein are shown on maps on file in the office of the Los Angeles County Department of Parks and Recreation and are incorporated herein by reference and open to public inspection; and

WHEREAS, provisions of the Act require the Board of Supervisors to adopt a Resolution Initiating Proceedings, to generally describe any proposed improvements or substantial changes in existing improvements, and to order the Engineer to prepare and file reports in accordance with Sections 22565 and 22605, of the Act and Article XIID of the California Constitution.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. That the Board of Supervisors of the County of Los Angeles proposes to establish assessments for park and landscape maintenance purposes for the fiscal year 2013-2014 to be levied against property in LLA District Nos. 1, 2, and 4 and Zones therein pursuant to provisions of the Act.

Section 2. That the Board of Supervisors of the County of Los Angeles proposes to establish assessments for park and landscape maintenance purposes for the 2013-2014 fiscal year pursuant to provisions of the Act, to be used for the maintenance, repair, replacement, and upgrades to planted and irrigated slopes, turf areas, parkway panels, medians, automated irrigation system components, and park improvements within LLA District Nos. 1, 2, and 4 and Zones therein, in compliance with procedures set forth in the Act.

Section 3. That the Director of the Los Angeles County Department of Parks and Recreation is hereby ordered to prepare and file Engineer's Reports in accordance with Sections 22565 and 22605 of the Act.

The foregoing Resolution was on the _____ day of _____, 2013, adopted by the Board of Supervisors and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

JOHN KRATTLI

By: Christina A. Salseda
Christina A. Salseda
Principal Deputy County Counsel